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CENTRAL FAX CENTER

MAY 23 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

As below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to my name.

We believe we are the original, first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DIAGNOSTIC AND THERAPEUTIC TREATMENTS RELATED TO MITOCHONDRIAL DISORDERS the specification of which was filed on May 12, 2004 and assigned Serial No. 10/556653

In the event that the filing date and/or Application No. are not entered above at the time we execute this document, and if such information is deemed necessary, we hereby authorize and request our attorneys/agent(s) at BERLINER & ASSOCIATES, to insert above the filing date and/or Application No. of said application.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

We acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

**FOREIGN PRIORITY CLAIM**

We hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

- ☒ no such foreign applications have been filed  
☐ such foreign application have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION: N/A

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION: N/A

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

We hereby claim priority benefits under Title 35, United States Code § 119(e), of any United States provisional patent application(s) listed below:

Attorney Docket No.: 7450-112

- ☐ no such U.S. provisional applications have been filed.
- ☒ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/470,046	May 13, 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

We hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

- ☐ no such U.S./PCT applications have been filed.
- ☒ such U.S./PCT application have been filed as follows:  
PCT/US2004/014996

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint:

<u>Attorney</u>	<u>Registration No.</u>
Robert Berliner	20,121
Richard Tun	56,594


all of BERLINER & ASSOCIATES., jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.


Please mail all correspondence to Robert Berliner , whose address is:

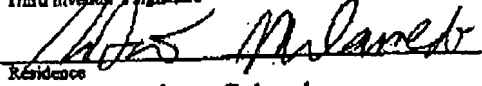
Robert Berliner  
BERLINER & ASSOCIATES  
555 W. 5<sup>TH</sup> Street, 31<sup>st</sup> Floor  
Los Angeles, CA 90013


Please direct telephone calls to: Robert Berliner at (213) 533-4171.  
Please direct facsimiles to: (213) 533-4171

Attorney Docket No.: LA-7450-112US

Full name of sole or first inventor <b>Martha Karen NEWELL ROGERS</b>	
Sole or first inventor's signature 	Date
Residence <b>Colorado Springs, Colorado</b>	
Citizenship	
Mailing Address <b>1420 Austin Bluffs Parkway SB 266 Colorado Springs, Colorado 90918</b>	

Full name of second inventor, if any <b>Elizabeth VILLALOBOS-MUNUEY</b>	
Second inventor's signature 	Date <b>10/13/06</b>
Residence <b>Colorado Springs, Colorado</b>	
Citizenship	
Mailing Address <b>1420 Austin Bluffs Parkway SB266 Colorado Springs, Colorado 90918</b>	

Full name of third inventor, if any <b>Robert MELAMEDE</b>	
Third inventor's signature 	Date <b>10/16/06</b>
Residence <b>Colorado Springs, Colorado</b>	
Citizenship <b>US</b>	
Mailing Address <b>1420 Austin Bluffs Parkway SB266 Colorado Springs, Colorado 90918</b>	

Full name of fourth inventor, if any <b>Robert CAMLEY</b>	
Fourth inventor's signature 	Date <b>Oct 16, 2006</b>
Residence <b>Colorado Springs, Colorado</b>	
Citizenship <b>US</b>	
Mailing Address <b>1420 Austin Bluffs Parkway SB266 Colorado Springs, Colorado 90918</b>	

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MNI MNH

514 398 7371

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- ☐ no such U.S./PCT applications have been filed.
- ☒ such U.S./PCT application have been filed as follows:  
PCT/US2004/014996

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint:

<u>Attorney</u>	<u>Registration No.</u>
Robert Berliner	20,121
Richard Tun	56,594

all of BERLINER & ASSOCIATES., jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

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BERLINER & ASSOCIATES  
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Los Angeles, CA 90013

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P.03

Attorney Docket No.: LA-7450-112US

Full name of sole or first inventor <b>Martha Karen NEWELL ROGERS</b>	
Sole or first inventor's signature <i>Martha Karen Newell Rogers</i>	Date <b>10/17/06</b>
Residence <b>Colorado Springs, Colorado</b>	
Citizenship	
Mailing Address <b>1420 Austin Bluffs Parkway SB 266 Colorado Springs, Colorado 90918</b>	

Full name of second inventor, if any <b>Elizabeth VILLALOBOS-MUNUEY</b>	
Second inventor's signature	Date
Residence <b>Colorado Springs, Colorado</b>	
Citizenship	
Mailing Address <b>1420 Austin Bluffs Parkway SB266 Colorado Springs, Colorado 90918</b>	

Full name of third inventor, if any <b>Robert MELAMEDE</b>	
Third inventor's signature	Date
Residence <b>Colorado Springs, Colorado</b>	
Citizenship <b>US</b>	
Mailing Address <b>1420 Austin Bluffs Parkway SB266 Colorado Springs, Colorado 90918</b>	

Full name of fourth inventor, if any <b>Robert CAMLEY</b>	
Fourth inventor's signature	Date
Residence <b>Colorado Springs, Colorado</b>	
Citizenship <b>US</b>	
Mailing Address <b>1420 Austin Bluffs Parkway SB266 Colorado Springs, Colorado 90918</b>	